

REMARKS/ARGUMENTS

The amendment to Claim 1 is supported by original Claim 4 and at specification page 4, lines 19-20. The amendment to Claim 4 is supported at specification page 4, lines 25-28. The amendment to Claim 5 is supported by the claim as originally filed, specification page 3, lines 5-6, and specification page 5, line 26. New Claim 11 is supported at specification page 4, lines 27-28. New Claims 12 and 13 are supported at specification page 2, lines 27-33. New Claims 14 and 15 are supported by specification page 3, lines 2-6. No new matter has been entered.

By the above amendment the subject matter of Claim 4, relating to phosphatization, has been incorporated into Claim 1. In addition, it has further been specified that phosphatization occurs by adding phosphoric acid to the sludge. This preferred embodiment of the invention is described at specification page 4, line 6ff.

The only reference cited with regard to phosphatization is Forrester. However, Forrester relates only to the use of a water-insoluble precipitating agent which may be solid phosphates such as phosphate rock. See, e.g., column 1, lines 61-63, column 2, lines 14-29, and column 4, lines 4ff of the reference. These water-insoluble precipitating agents have no relation to phosphatization as it occurs in the present invention: by the addition of phosphoric acid to sludge.

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The differences between the presence and absence of phosphoric acid in the present invention is demonstrated in Examples 1 and 2 beginning at specification page 9. Moreover, phosphatization by phosphoric acid allows for concomitant inertization and foaming. See, e.g., specification page 4, lines 20-24.

As no reference of record discloses or suggests the invention as now claimed the rejections should be withdrawn and this case passed to Issue.

Respectfully submitted,

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